

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Mickey Shea MCLAUGHLIN

Defendant.

Magistrate Case No.

'08 MJ 0301

DEPUTY

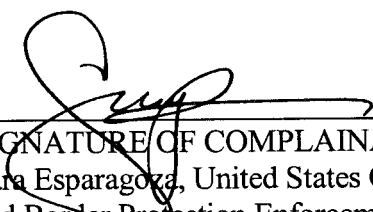
COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Alien(s)
Without Presentation

The undersigned complainant being duly sworn states:

On or about February 3, 2008, within the Southern District of California, defendant **Mickey Shea MCLAUGHLIN**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Bonifacia MARTIN-Velazquez, Daisy RODRIGUEZ-Rodriguez, and Humberto MARTINEZ-Bautista**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 4th DAY OF
FEBRUARY, 2008.


UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complainant states that **Bonifacia MARTIN-Velazquez, Daisy RODRIGUEZ-Rodriguez, and Humberto MARTINEZ-Bautista** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On February 3, 2008, at approximately 0418 hours, **Mickey Shea MCLAUGHLIN (Defendant)**, applied for admission to the United States through the vehicle primary lanes of the San Ysidro, California Port of Entry. Defendant was the driver of a 1995 Nissan Altima. A United States Customs and Border Protection (CBP) Canine Enforcement Officer (CEO) was conducting pre-primary roving operations when his Narcotics/Human Detector Dog (N/HDD) positively alerted to the vehicle driven by the Defendant. The vehicle and Defendant were referred to secondary for further inspection.

In secondary, two females and one male were discovered concealed within the trunk of the vehicle. Two of the three persons admitted to being citizens of Mexico, while the third person admitted to being a citizen of Guatemala. All three persons admitted to not having any entitlements to enter the United States. All three persons were retained as material witnesses. They are now identified as **Bonifacia MARTIN-Velazquez (MW1), Daisy RODRIGUEZ-Rodriguez (MW2), and Humberto MARTINEZ-Bautista (MW3)**.

During a videotaped interview, Defendant was advised of his Miranda rights and elected to answer questions without an attorney present. Defendant admitted he was aware of the presence of concealed persons in the trunk of vehicle prior to arriving at the San Ysidro Port of Entry. Defendant stated he was to take the vehicle and persons to a location in Chula Vista, California. Defendant admitted he traveled to Tijuana, Mexico from San Diego, California with the intention of smuggling undocumented aliens into the United States for financial gain. Defendant admitted he was to be paid between \$700.00 USD and \$1000.00 USD by alien smugglers if successful in smuggling the undocumented persons into the United States.

During a video recorded interview, Bonifacia MARTIN-Velazquez (MW1) freely and voluntarily admitted to being a citizen of Guatemala by birth in Huehuetenango, Guatemala. MW1 admitted to not possessing the proper documentation to enter into, pass through, or remain in the United States. MW1 stated her brother made the smuggling arrangements and agreed to pay a fee of \$15,000 GTQ. MW1 stated she intended to travel to Encinitas, California to seek employment and to live with family members.

During a video recorded interview, Daisy RODRIGUEZ-Rodriguez (MW2) freely and voluntarily admitted to being a citizen of Mexico by birth in Elota, Sinaloa, Mexico. MW2 admitted not possessing the proper documentation to enter into, pass through, or remain in the United States. MW2 stated her uncle made the smuggling arrangements and agreed to pay a fee of \$3,800 USD. MW2 stated she intended to travel to Bakersfield, California to seek employment and to live with family members.

During a video recorded interview, Humberto MARTINEZ-Bautista (MW3) freely and voluntarily admitted to being a citizen of Mexico by birth in Santos Reyes, Tepejillo, Oaxaca, Mexico. MW3 admitted to not possessing the proper documentation to enter into, pass through, or remain in the United States. MW3 stated he made smuggling arrangements and agreed to pay a fee of \$4,500 USD. MW3 stated he intended to travel to Seattle, Washington to seek employment and to live with family members.